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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/850,338   | 05/07/2001  | Marko Schuba         | 52275-00003USPX     | 2528             |
| 38065  | 7590        | 10/20/2005           | EXAMINER            |                  |
| ERICSSON INC.<br>6300 LEGACY DRIVE<br>M/S EVR C11<br>PLANO, TX 75024 |             |                      | DINH, MINH          |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2132                |                  |

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                 |               |  |
|------------------------------|-----------------|---------------|--|
| <b>Office Action Summary</b> | Application No. | Applicant(s)  |  |
|                              | 09/850,338      | SCHUBA ET AL. |  |
|                              | Examiner        | Art Unit      |  |
|                              | Minh Dinh       | 2132          |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6,8-15,17,19-26,28 and 33-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,8-15,17,19-26,28 and 33-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is in response to the RCE/Amendment filed 08/02/2005. Claims 1-2, 4-6, 8-10, 12-15, 17, 19-26, 28 and 33-36 have been amended; claims 3, 7, 18, 27 and 29-32 have been cancelled; claims 37-38 have been added.
2. Claim 28, which has been amended, but is not indicated as being "currently amended". Appropriate correction is required.

### ***Response to Arguments***

3. Applicant's arguments filed 08/02/2005 have been fully considered but they are not persuasive. Applicant argues that, in the Elgamal reference, the request is sent from the customer to the merchant and is concerned with a purchase order and payment instruction (page 11, 1<sup>st</sup> full paragraph). The message that the Applicant refers to is the authorization response sent by the customer to the merchant authorizing the payment after the customer has received and reviewed an authorization request (i.e., Offer message) sent by the merchant (col. 9, line 55 – col. 10, line 19). In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a text summary of the authorization request; indication is a minimal, user understandable indication of the content of the authorization request but not purchase order) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification,

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limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

4. Applicant's arguments with respect to claims 1 (i.e., mobile phone) and 37-38 (page 12, 1<sup>st</sup> paragraph) have been considered but are not persuasive. Applicant's amendments have necessitated a new search and new grounds of rejection.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-2, 4-6, 8-9, 14-15, 17, 19-26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elgamal (5,671,279) in view of "WMLScript Crypto Library".

Regarding claims 1-2, which are exemplary of claims 17 and 25-26, Elgamal discloses a method for authorizing transactions, wherein a user equipment (fig. 1, element 16) receives an authorization request for a transaction with a hash of the authorization request (fig 1; col. 9, lines 43-60; col. 25, lines 47-66), which meets the limitation of an identifier of a transaction (specification p. 12, lines 1-2) and the user equipment replies to the request with an authorization response (fig. 2), said method

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comprising the steps of: calculating the identifier from the transaction information, transmitting the authorization request with the identifier to the user equipment (col. 9, lines 55-60; col. 5, lines 20-28), receiving the authorization request (fig. 1; col. 9, lines 55-60; col. 25, lines 44-57), determining the transaction information, which meets the limitation of a string T understandable by the user and indicating the authorization request (col. 26, lines 13-21), selecting the transaction information; output of the transaction information by the user equipment (col. 26, lines 13-21 and 64-66), waiting for an input to approve or disapprove the authorization request (col. 25, lines 44-57; col. 26, lines 13-21 and 64-66), signing the identifier (col. 9, line 60 – col. 10, line 12; col. 26, lines 13-21 and 64-66), and sending the authorization response according to the input, wherein an approving authorization response comprises the signed identifier (fig. 2; col. 9, line 60 – col. 10, line 12). Elgamal does not disclose that the method for authorizing transactions is used with a mobile phone. “WMLScript Crypto Library” discloses authorizing transactions in Wireless Application Protocol using signText function (Section 5.1.1, Introduction). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Elgamal method to use signText function, as taught in “WMLScript Crypto Library”, in order to allow a user to authorize a transaction using a mobile phone.

Regarding claim 14, Elgamal discloses a server for processing authorization procedures in a communication system comprising: an interface to exchange messages between the server and a user equipment connected to the communication system, a processing system adapted to send an authorization request for a transaction which is

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to be authorized to the user equipment and to receive an authorization response from the user equipment (figures 1 and 2), wherein the processing system is further adapted for calculating an identifier for the transaction information, including the identifier in the authorization request (col. 9, lines 43-44 and 55-60) and transmitting the authorization request to the user equipment, wherein the user equipment determines an indication for the authorization request, and the server being adapted for checking the authorization response for the identifier signed by the user equipment (col. 9, line 61 – col. 10, line 12; col. 28, line 65 – col. 29, line 21). Elgamal does not disclose that the user equipment is a mobile phone. “WMLScript Crypto Library” discloses a server sending an authorization request to a user’s mobile phone and receiving an authorizing response by the mobile phone (Section 5.1.1, Introduction). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Elgamal server such that it sends an authorization request to a user’s mobile phone and receives an authorizing response by the mobile phone, as taught in “WMLScript Crypto Library”, in order to allow a mobile phone user to authorize a transaction using the mobile phone.

Regarding claims 4, 19 and 28, Elgamal further discloses that the displayed indication is included in the authorization response (col. 9, lines 61-67).

Regarding claims 5 and 20, Elgamal further discloses that a check is performed whether a connection is classified as safe and the indication is selected according to the check (col. 9, lines 4-7).

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Regarding claims 6 and 21, Elgamal further discloses that the authorization request comprises a signature of the sender and a check of the sender signature is performed (col. 9, line 60; col. 28, lines 4-8).

Regarding claim 22, Elgamal further discloses that the indication is selected according to the check (col. 4, lines 51-57).

Regarding claims 8-9 and 23-24, Elgamal further discloses using a timestamp as an additional parameter in any type of message (col. 9, line 60; col. 28, lines 4-8).

Regarding claim 15, Elgamal further discloses that the server comprises an interface to receive messages from a further entity and the processing system is adapted to extract the content for authorization from a message received from the further network entity and to send a reply to the further network entity, wherein the reply is determined by the authorization response (fig. 2, col. 29, lines 36-38).

Regarding claims 10-13 and 33-36, Elgamal does not disclose that the authorization request is sent by a server (MS) after reception of a message from a further entity and the server forwards an approval of the identifier and the indication to the further entity. The "WMLScript Crypto Library" reference discloses that an authorization request including an identifier is sent by a proxy server to a mobile device after the proxy server receives a message from a further entity and the proxy server forwards an approval of the identifier and the indication to the further entity (p. 14, section 6.1, Usage with signText; Section 6.2, Hash Calculation and Relationship to PKCS#7 SignedData, "When a mobile device ... not supporting WAP signed content type"; p. 15, "A proxy server MAY construct ... WML or WMLScript"). It would have

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been obvious to one of ordinary skill in the art at the time the invention was made to modify the Elgamal method such that the authorization request is sent by a server (MS) after reception of a message from a further entity and the server forwards an approval of the identifier and the indication to the further entity, as taught in the "WMLScript Crypto Library" reference. The motivation for doing so would have been to enable end-to-end signed content verification with servers not supporting the WAP signed content type.

7. Claims 37 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elgamal in view of "WMLScript Crypto Library" as applied to claims 1 and 17 above, and further in view of "Let Your Phone Read the Web to You". Elgamal and "WMLScript Crypto Library" does not disclose that the output of the string sent to the mobile phone comprises an auditory signal. "Let Your Phone Read the Web to You" discloses converting text messages sent to the mobile phone to speech for voice outputting to a mobile phone (1<sup>st</sup> paragraph). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined method of Elgamal and "WMLScript Crypto Library" such that the output of the indication string comprises an auditory signal, as taught in the "Let Your Phone Read the Web to You" reference. Mobil phones have limited output display screen.



***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dinh whose telephone number is 571-272-3802. The examiner can normally be reached on Mon-Fri: 10:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

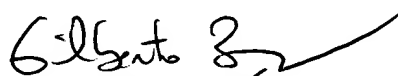
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MD

Minh Dinh  
Examiner  
Art Unit 2132

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10/17/05



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